IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

WP(C).No. 29777 of 2007(T)

PETITIONER:

APPU, KALANGARAKONAM,
MEKKOLA, DHANUVACHAPURAM P.O.,
NEYYATTINKARA, THIRUVANANTHAPURAM.

BY ADV. SRI.B.KRISHNA MANI

RESPONDENTS:
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1. **THE DEPUTY SUPERINTENDENT OF POLICE,**
   NEYYATTINKARA.

2. **THE CIRCLE INSPECTOR OF POLICE,**
   PARASSALA.

3. **THE SUB INSPECTOR OF POLICE,**
   PARASSALA.

BY PUBLIC PROSECUTOR SRI. M.S. BREEZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

R.BASANT, J

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W.P.(C). No.29777 Of 2007

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Dated this the 26th day of October, 2007

JUDGMENT

The grievance of the petitioner is that no action has been taken on a complaint filed by the petitioner about a crime allegedly committed against him. Copy of the complaint has not been produced along the petition. Notice was given to the learned Public Prosecutor. The learned Public Prosecutor was directed to take instructions. The learned Public Prosecutor now submits that the complaint has been received and that Crime No.496/2007 of Parasala Police Station under Sections 323,324 and 341 and Schedule Caste and sec.3(1)(x) of the Schedule Tribes(Prevention of Atrocities) Act has been registered. Investigation is in progress. The Deputy Superintendent of Police is conducting the investigation. Proper, efficient and expeditious investigation shall be conducted, it is submitted.

2. Dissatisfied though I am with the admitted inordinate delay in filing the F.I.Statement, I am satisfied that, in the light of the submissions of the learned Public Prosecutor there is nothing to be pursued. I accept the submissions of the learned Public Prosecutor that the needful shall be done and proper and efficient investigation

shall be conducted.

3. I leave the matter and make no comments or observations on the admitted inordinate delay in the registration of the FIR. It is possible that lethargy is the cause of the delay in registering the crime so belatedly. The petitioner's counsel wants this Court to at least make observations against those responsible. It is also possible that collusive attempt is being made to give respectability to an ante dated complaint belatedly presented. The truth can be brought out only in a trial with opportunity to both sides to prove their contentions. No further observations or directions are hence necessary.

4. This writ petition is hence dismissed, with the above observations.

(R.BASANT, JUDGE)

sj